

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

MEDICAL PROPERTIES TRUST, INC.,

Plaintiff,

- v. -

VICEROY RESEARCH LLC; FRASER  
JOHN PERRING; GABRIEL BERNARDE;  
and AIDAN LAU,

Defendants.

Civil Action No. 2:23-cv-00408-RDP

**Unopposed**

**PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE  
CONFIDENTIAL MATERIAL UNDER SEAL**

Pursuant to paragraph 7 of the Protective Order, (Doc. 72) and Section III.A of the Court's Civil Administrative Procedures Manual, Plaintiff Medical Properties Trust, Inc. respectfully moves for permission to file under seal the following documents:

- Exhibits 1, 2, and 3 cited in and attached to Plaintiff's Response to Defendants' Brief Regarding Issues to be Addressed at the October 1, 2024 Status Conference (the "Brief"); and
- Portions of the Brief that disclose the contents of Exhibits 1, 2, and 3.

Each exhibit listed above has been designated "Confidential" by Defendants under the Protective Order. The Brief references these exhibits and the material designated Confidential by Defendants that they contain. The Protective Order requires consent or an order of the Court before disclosure of Confidential information, (Doc. 72, ¶¶ 7, 9), and in connection with a prior round of briefing in this matter, the Court on February 21, 2024 ordered the parties to file exhibits containing Confidential information under seal. (Doc. 86.) Defendants have not consented to public disclosure of Exhibits 1, 2, and 3. Accordingly, in compliance with the

Protective Order, Plaintiff seeks to file the exhibits under seal and to redact those portions of the Brief that reflect the exhibits' Confidential information. Defendants' counsel has informed Plaintiff's counsel that Defendants do not oppose this Motion.

Contemporaneously with this Motion, Plaintiff will email the Brief and the Confidential exhibits referenced above to chambers. Consistent with Section III.A of the Civil Administrative Procedures Manual, Plaintiff intends to file sealed envelopes containing these documents with the Clerk's office.

### **CONCLUSION**

For the foregoing reasons, Plaintiff respectfully requests the Court's leave to file under seal exhibits 1, 2, and 3, and those portions of the Brief that refer to or discuss these exhibits or any other information designated Confidential by the parties.

Dated: September 30, 2024

LIGHTFOOT, FRANKLIN & WHITE LLC

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**Certification Pursuant to Section C of the Initial Order**

Counsel hereby certifies that he has affirmatively and diligently sought to submit to the Court only those documents, factual allegations, and arguments that are material to the issues to be resolved in the Motion, that careful consideration has been given to the contents of this submission to ensure that it does not include vague language or an overly broad citation of evidence or misstatements of the law, and that this submission is non-frivolous in nature.

/s/ Wesley B. Gilchrist

**CERTIFICATE OF SERVICE**

I hereby certify that on September 30, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will give notice of such filing to all counsel of record.

/s/ Wesley B. Gilchrist

Of Counsel